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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HEWLETT-PACKARD COMPANY  
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EXAMINER

PILLAI, NAMITHA

ART UNIT PAPER NUMBER

2173

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/046,347

Applicant(s)

BREIDENBACH ET AL.

Examiner

Namitha Pillai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-6,8-11 and 24-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-11 and 24-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office action is responsive to the Request for Continued Examination (RCE) filed under 37 CFR §1.53(d) for the instant application on 7/25/05. Applicants have properly set forth the RCE, which has been entered into the application, and an examination on the merits follows herewith. The Examiner acknowledges Applicant's amendments to claims 1, 11, 12 and 23 to better specify the claimed invention, wherein claim 7 was cancelled, the contents of which were added to claim 1. All pending claims have been rejected wherein the previous rejection has been maintained.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, 5-6, 8-11, 24-28 and 30-42 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S. Patent No. 6,452,95 B1 (Casey et al.), herein referred to as Casey.

Referring to claims 1, 12 and 23, Casey discloses a system for improving the performance of a plurality of peripheral devices (column 1, lines 7-9). Casey discloses a first peripheral device comprising a first software component and having a first

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functionality (column 2, lines 58-61 and column 3, lines 3-4). Casey also discloses a second peripheral device comprising a second software component and having a second functionality, the second peripheral device being coupled to the first peripheral device (column 2, lines 61-67 and column 3, lines 1-5). Casey discloses that the first and second peripheral devices together perform a third functionality in addition to the first and second functionalities and having a common user interface (column 3, lines 34-39). Casey further discloses no intermediate computing device positioned along the communication path between the peripheral devices (column 5, lines 16-21). Casey discloses a teaching wherein the first peripheral device would include the display on which would be presented a graphical user interface such as a control panel that would present the third functionality of a digital copier to a user for selection (column 4, lines 1-5).

Referring to claim 3, Casey discloses that the first and second peripheral devices are coupled via a network (column 1, lines 46-48).

Referring to claim 5, Casey discloses that the first and second peripheral devices are coupled directly to each other (column 5, lines 16-20).

Referring to claim 6, Casey discloses that the first peripheral device is a scanner and the second peripheral device is a printer and the third functionality is a copying functionality (column 1, lines 9-13).

Referring to claim 8, Casey discloses first software component of the first peripheral device and the second software component of the second peripheral device allow the first and second peripheral devices to exchange information over a network,

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pertaining to the identity of the first peripheral device and the second peripheral device (column 3, lines 3-8).

Referring to claim 9, Casey discloses that the information exchanged between the first and second peripheral devices further comprises information relating to the capabilities of the first peripheral device and the second peripheral device (column 5, lines 61-67 and column 6, lines 1-6).

Referring to claim 10, Casey discloses that the first peripheral device modifies its capabilities based on the information received from the second peripheral device (column 6, lines 44-50), wherein the printer modifies its capabilities based on the image input device's capabilities.

Referring to claim 11, Casey discloses that the first peripheral device presents to a user with a graphical user interface a menu of available functionality based on the information received from the second peripheral device (column 3, lines 34-39), wherein the control panel displays a menu based on functionality that is representative of both peripheral devices.

Referring to claims 24 and 32, Casey discloses a method practiced by a personal computer (PC) for providing additional functionality from peripheral devices (column 1, lines 7-13). Casey discloses searching for and identifying peripheral devices that are accessible to the PC, determining the capabilities of each identified peripheral device using the PC and presenting to the user with the PC a functionality that is available through combination of the capabilities of the identified peripheral devices, the

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functionality being a functionality that is not independently provided by the identified peripheral devices (column 4, lines 1-48).

Referring to claims 25 and 33, Casey discloses automatically querying all peripheral devices on a network to which the PC is connected (column 4, lines 50-63).

Referring to claim 26, Casey discloses determining the capabilities of the identified peripheral devices further comprises receiving information from peripheral device software provided on each identified peripheral device (column 4, lines 38-48).

Referring to claims 27 and 34, Casey discloses storing information about the peripheral device capabilities in a registry of the PC (column 3, lines 3-5).

Referring to claims 28 and 35, Casey discloses presenting functionality to the user comprises presenting the functionality to the user with a graphical user interface (GUI) on a display associated with the PC (Figure 2 and column 3, lines 34-39).

Referring to claims 30 and 36, Casey discloses that the GUI displays the complete set of tasks that can be performed through combination of the capabilities of the identified peripheral devices (column 3, lines 34-39).

Referring to claims 31 and 37, Casey discloses presenting functionality to the user comprises presenting a copying functionality that is available due to a scanning capability of a scanner and a printing capability of a printer (column 6, lines 7-13).

Referring to claim 38, Casey discloses a peripheral device with auto recognition logic that is configured to transmit a broadcast message on a network to announce the presence of the peripheral device on the network, receive response signals from compatible peripheral devices also on the network, the response signals comprising

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information as to the identity and capabilities of the compatible peripheral devices (column 3, lines 3-12). Casey also discloses automatically present a functionality option to a user that is only available through combination of the capabilities of the peripheral device and at least one of the compatible peripheral devices (column 3, lines 14-21).

Referring to claim 39, Casey discloses that the auto-recognition logic comprises a software component that is configured to modify a capability of the peripheral device based upon the information received from the compatible peripheral devices (column 3, lines 3-12).

Referring to claim 40, Casey discloses that the auto-recognition logic presents the functionality option to the user in a graphical user interface (GUI) of the peripheral device (column 4, lines 1-5).

Referring to claim 41, Casey discloses that the peripheral device is a scanner and the functionality is a copying functionality (column 2, lines 58-67).

Referring to claim 42, Casey discloses that the peripheral device is a digital camera and the functionality is image printing (column 2, lines 58-67).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Casey.

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Referring to claim 29, Casey discloses that the GUI comprises a menu (Figure 2), but does explicitly show that the menu is a pull-down menu. It would have been obvious for one skilled in the art, at the time of the invention to display a pull-down menu. Casey clearly displays a menu, wherein a pull-down menu is simply a type of menu that is displayed for listing items to be selected by the user. As is well known the field of graphical user interfaces, various types of menus can be displayed for selection including the listed items menu as shown in Figure 2 and the pull-down menu. The Examiner takes Official Notice wherein it is a well-known feature that a pull-down menu can be displayed containing much of the components as shown in the control panel of Figure 2. It is well known in the field of graphical user interfaces, at the time of the invention, that a pull-down menu can be displayed and used for selection of various items.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Casey and "Wireless Networks".

Referring to claim 4, Casey does not specifically disclose that the first and second peripheral devices are coupled via a wireless network. It would have been obvious for one skilled in the art at the time of the invention to implement a wireless network through which the devices are coupled. Wireless networks have been a growing trend in the field, wherein networks that are existing such as the Internet, as disclosed in Casey and which may previously have been connected via cables have been introduced to wireless networks wherein all connectivity would be wireless. "Wireless Networks" teaches the advantages of having a wireless network and the



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features of network that are wireless (page 1, lines 12-15). It would have been obvious for one skilled in the art at the time of the invention to learn from the "Wireless Network" to implement a means wherein a network would be wireless.

***Response to Arguments***

5. Applicant's arguments filed 7/25/05 have been fully considered but they are not persuasive.

With respect to Applicant's arguments that Casey does not disclose a peripheral device that comprises a peripheral device display. Casey discloses that a control panel being the graphical user interface is integrated into a device, wherein the device being the printer (column 4, lines 1-5).

With respect to Applicant's arguments that Casey does not disclose the devices are coupled via network. Casey discloses that the network is coupled to a system wherein linking both devices, wherein the network and both devices are connected together thereby showing a coupled relationship, wherein the arguments further state communication processes that maybe occurring the devices but is not explicitly taught in the present claims.

With respect to Applicant's arguments that Casey does not disclose a menu of available functionality. Casey discloses a control panel, wherein is displayed all available functionalities that can be selected by the user (reference number 112, Figure 2).

With respect to Applicant's arguments that Casey does not disclose PC. Casey has taught how a PC is connected to the system, wherein this PC would provide added

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functionalities to the devices (column 3, lines 9-11). Furthermore, Casey also discloses identifying the printer devices that is accessible by the PC. Casey also discloses automatically installing software into a device, wherein requiring the querying or accessing of the device.

With respect to Applicant's arguments that Casey does not disclose storing information in a PC registry. Casey discloses storing data about the devices in a computer PC, wherein thereby stating that information is stored in a PC registry or information storage area pertaining to the device data.

With respect to Applicant's arguments that Casey does not disclose a complete set of tasks that be performed through a combination of the capabilities of the identified devices. The objective of Casey is to use multiple devices and combine the functionalities to develop new functions using these devices, wherein the control panel of Figure 2 clearly displays the tasks that can be carried about as a result of this combination.

With respect to Applicant's arguments that Casey does not disclose transmitting a broadcast message to announce the presence of a device on the network. Casey discloses the presence of devices that are connected to the network, wherein functionalities is accessed and downloaded to these devices through this network, wherein this teaches that transmission of data is carried for the device on the network, thereby determining the presence of a device on the network.

***Conclusion***

6. Responses to this action should be submitted as per the options cited below: The United States Patent and Trademark Office requires most patent related correspondence to be: a) faxed to the Central Fax number (571-273-8300) (updated as of July 15, 2005), b) hand carried or delivered to the Customer Service Window (located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in 37 CFR 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the Office using the Office's Electronic Filing System. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300. Faxes sent to the old number will be routed to the new number until September 15, 2005. After September 15, 2005, the old number will no longer be in service and 571-273-8300 will be the only facsimile number recognized for "centralized delivery." The official notice dated June 20, 2005 also includes an "updated list of exceptions to the centralized delivery and facsimile transmission policy for patent related correspondence." Questions regarding this notice may be e-mailed to Patentpractice@uspto.gov, or directed to the Inventors' Assistance Center by telephone at 800-786-9199, or 571-272-1000.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.


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All Internet e-mail communications will be made of record in the application file.

PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Namitha Pillai  
Assistant Examiner  
Art Unit 2173  
September 2, 2005



**RAYMOND J. BAYERL**  
**PRIMARY EXAMINER**  
**ART UNIT 2173**